

Approved 6/21/10

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
June 7, 2010**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 6, 2010. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Jim Banks-present, Mr. Jeff Donahue-present, Ms. Linda Goldman-present, Ms. Julia Hasser-absent
Mr. Mark Pausch-present, Mr. Robert Steen-present

Also present: Borough Attorney Albert Cruz, Deputy Clerk Raymond Whitlock

MAYOR'S COMMENTS

Mayor Zimmerman stated the Primary Election would be held in the conference room instead of the normal meeting room.

Mayor Zimmerman stated he was privileged to lead the ceremony on Memorial Day at the newly renovated Panicaro Park. Mayor Zimmerman also mentioned that he was very pleased with the turnout.

Mayor Zimmerman updated the Council regarding the loss of power due to the storm on Memorial Day, which took down a very large tree, closing Route 518 and leaving many of the residents without power. Mayor Zimmerman stated power has been restored and Route 518 is re-opened. Mayor Zimmerman stated he sent a letter complimenting PSE&G, as they were amazingly professional and very well organized.

Mayor Zimmerman updated the Council on the School Budget process. At the last Council meeting The Borough of Rocky Hill voted to approve the resolution; however, Montgomery Township did not, therefore the process was turned over to the County Superintendent. Mayor Zimmerman informed the Council the County Superintendent increased the cuts to roughly \$2,080,000.00, an increase of nearly \$130,000.00. A final decision will be rendered by June 15, 2010. Mayor Zimmerman also stated that he has heard numerous compliments about the Borough's School Budget sub-committee.

Mayor Zimmerman informed the Council of the upcoming SCGOA picnic for June 9, 2010 in Duke Island Park.

Mayor Zimmerman updated the Council regarding the caterer for the July 4th picnic. Mayor Zimmerman stated he has been in touch with a caterer who will charge per burger/hotdog; therefore there will be no financial burden on the Borough. Mayor Zimmerman also stated the Rocky Hill Hook and Ladder Company also agreed to cook the food.

Mayor Zimmerman informed the Council that due to lack of staff and cutbacks, the DCA would only hold office hours on Tuesday starting July 1, 2010, for issuance of construction permits. The DCA can be reached by phone at anytime, and will continue to do inspections 5 days a week.

APPROVAL OF MINUTES

Regular Meeting Minutes – May 17, 2010 - Council President Goldman asked that the wording on page 2 regarding the school activity fee be revised. Motion was made by Banks to approve the minutes with

Approved 6/21/10

revisions. Motion was seconded by Goldman. Motion carried on roll call vote - all ayes with the exception of Steen-Abstain

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

New Business-Rocky Hill Camp Out
Unfinished Business-Shade Tree Discussion

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Alan Querec, 179 Washington Street, stated that in the past the Borough has been very pro-active with regards to crossing signs until last August. Mr. Querec stated there have been several major accidents involving pedestrians on Route 518. On November 9, 2009, his mother was hit and struck. She had numerous major injuries, which caused her to be hospitalized in a trauma center for 5 days and in a rehabilitation hospital for 30 days. She is 91 years old and is now terrified to cross the street. Mr. Querec stated that motorists do not pay attention to pedestrians and they are often talking on their cell phones. Mr. Querec opined that the Borough was doing a tremendous disservice to residents. Mr. Querec stated in several other towns there are plain clothed officers crossing streets, when motorists do not stop they radio ahead to a police officer. They are pulled over and issued a \$200.00 fine and receive 2 points on their license.

Mayor Zimmerman explained that this is an issue the Council has been wrestling with for a while, the Borough acknowledged the signs need to be replaced, however, the Borough is trying to determine what will be the most beneficial. Mayor Zimmerman stated that previously the temporary signs in the crosswalks had to be removed in October for snow plows, however, the Borough kept them up through November 1, to ensure there was something in place for Halloween. Mayor Zimmerman responded the Council is looking to do something year round. Mayor Zimmerman also stated he would speak to the Police Chief and see if he can arrange some type of enforcement.

Tom Bremner, 17 Crescent, inquired as to who was responsible for the detour signs when there is a road closing like the Borough recently experienced. Mr. Bremner stated that Reeve Road was very dangerous, as people were frustrated that there were just road-closed signs, and they could not find a detour route. Mayor Zimmerman agreed and informed Mr. Bremner there are funds available in the OEM budget to purchase signs.

Hearing no further public comment, the floor was closed.

STATE POLICE REPORT

State police report dated 5/04/10 for the period of April 2010 and police report dated 6/1/10 for the period of May 2010, as received from Lt. Skelton of the NJSP was summarized by Council member Pausch (copies on file in the office of the Acting Borough Clerk)

ENGINEER'S REPORT

Report dated 6/6/10 for June 2010 as received by Engineer Tanner was distributed and filed in the Borough Clerk's office. Engineer Tanner provided an overview of the report.

Signs - Engineer Tanner updated the Council regarding the sign issues, since there were questions raised during the public comment period. Engineer Tanner stated the County has solar powered signs that flash continuously. Engineer Tanner requested the County loan one to the Borough that he would place in his back yard to test if the flashing lights will be too bright or obtrusive to neighboring homes, as this is a concern the Borough has with the close proximity of homes to the crosswalks. Engineer Tanner stated the signs are on back order and he would test one as soon as one becomes available. Mayor Zimmerman asked if the Borough could bolt one in the crosswalk and test it there. Engineer Tanner stated he believed once the signs were bolted in, the Borough would own them. Engineer Tanner reminded the Council that the

Approved 6/21/10

problem with the previous signs in the roadway was that the County insisted that they be removed no later than November 1st. Council President Goldman stated there might not be sufficient grass areas to install the signs that are off the roadway. Council Member Donahue stated many of the areas are well shaded, which may interfere with the solar panels. Mayor Zimmerman stated that the cost of the permanent signs have been prohibitive in the past, however, the signs in the roadway are hit often and need to be replaced several times. Mayor Zimmerman stated that it might end up being less expensive, if the signs need not be replaced. Mayor Zimmerman also asked Engineer Tanner to find out where these signs may be placed throughout the County, so we can inquire as to how they have worked, as well as be able to observe them.

Drainage at the Pond – Mayor Zimmerman informed Council that the Borough, as well as several others, received a registered letter from a resident on Crescent, stating they feel their flooding issues, are attributed to Van Horne Park. Engineer Tanner stated the he, the Montgomery Township Engineer and the Public Works Director from Montgomery, all had a meeting at the site and determined the following: (1) The 8” overflow pipe would be jetted clean, as there were several rocks clogging the pipe. (2) A plan will be devised to divert the concentrated flow of water down the wood chip path to disperse it and reconfigure the outflow from the pond. Once this plan is developed it will be presented to both Montgomery Township and The Borough of Rocky Hill’s governing bodies to be funded.

Van Horne Park Maintenance Agreement – Engineer Tanner stated the agreement is still sitting on the Attorney’s desk, however, Montgomery made a good faith effort and cleaned the clogged pipe very quickly, so he does not believe there are any issues.

Montgomery Ave Resurfacing – Engineer Tanner stated they are working on getting the project ready to be sent out to bid, and they would like to do the work in August, so no school buses need to be re-routed.

Water Tower Cell Antennas – Engineer Tanner informed the Council that all work has been completed, and there will be an inspection done to ensure no damage was done during construction, by an outside company.

County Recreational Grant – Engineer Tanner informed Council all work has been completed at Panicaro Park with the exception of the lighting, which are in process awaiting PSE&G.

Tax Maps – Engineer Tanner stated the Tax Maps were approved by the State, and he gave Council President Goldman a copy via CD. Council President Goldman stated she would upload them to the website.

Tree Removal Contract – Engineer Tanner and Mayor Zimmerman met with FEMA Officials and they may pay for the removal of the debris from the March 13, 2010, storm that hit the Borough. Engineer Tanner distributed a letter dated 6/7/2010 updating Council on the meeting with FEMA.

PUBLIC COMMENT

The floor was opened to the public for comments/questions

Gabrielle Dietrich, Shade Tree Commission – Ms. Dietrich wanted the Council to be aware that the crosswalk on Merritt Lane needs to be included when the Borough considers signs. Ms. Dietrich stated she was almost run over. Ms. Dietrich also suggested that the Borough secure the crosswalk when you enter Rocky Hill at both ends, rather than only at the last crosswalk in the Borough before Canal Road. Ms. Dietrich also suggested that the Borough put a posting on Craig’s list informing people to come pick up the wood that has been placed at the curbs.

Mayor Zimmerman responded that the Borough has a contractor that will be removing the excess brush and limbs. Mayor Zimmerman stated he would not want a posting on Craig’s list, if anything; the Borough could contact Oak Park Firewood in Hillsborough to remove the miscellaneous limbs and trunks.

Ms. Dietrich asked if she could be informed of the specific trees that would be coming down in the Borough.

Approved 6/21/10

Peggy Harris, 66 Crescent – Ms. Harris informed the Council that she felt the signs did work, and she felt the traffic was calmer. Ms. Harris walked everyday at 6:30AM and she has definitely noticed a difference in the traffic. Ms. Harris stated there are many children that cross the street to get to the Library; currently there are no signs.

Hearing no further public comment, the floor was closed.

CHIEF FINANCIAL OFFICER'S REPORT

Motion was made by Goldman to accept the CFO's report as presented. Motion seconded by Banks.
Motion carried on roll call vote-all ayes.

APPROVAL OF VOUCHERS

Motion was made by Banks to approve the vouchers as presented. Motion seconded by Goldman. Motion carried on roll call vote – all ayes.

SPECIAL BUSINESS

Revaluation Presentation – Appraisal Systems Inc. – Mayor Zimmerman informed the Council that 2 ½ years ago the County demanded that full appraisals be completed by October 1st.

Ernest Del Guercio, CEO of Appraisal Systems Inc., stated the revaluation process has one purpose. To fairly and equitably distribute the tax burden. Mr. Del Guercio stated there is one common myth that a revaluation is a means by which a local governing body can raise taxes. Mr. Del Guercio stated that all properties would be assessed by the same standards. Mr. Del Guercio informed the Council that there is a specific criterion for a revaluation. They are as follow: (1) The time since the last revaluation. (2) An average of the sales ratio, currently the Borough of Rocky Hill's ration is 47.28%. This is based on a true ratio of sales, no corporations are used, nor sales to direct family members. Mr. Del Guercio stated there are several factors that can change the valuation of a home, like changes in neighborhoods, economics, fads, inflation & deflation. Mr. Del Guercio turned the presentation over to Brett Trout, Vice President to explain the process that will take place in the Borough. Mr. Trout stated that intro letters would go out to all residents in a few weeks. It will state that an inspector will be at their home between 9:30 AM and 5 PM. A photograph of the inspector, along with the vehicle and license plate will be give to the Borough and the State Police. Mr. Trout went on to explain the initial visit would be to the exterior of the home. The inspector will measure the outside, note the style of house, and note possible views good and bad, and other relevant information on the exterior of the home. At the initial visit a card will be left instructing the homeowner to contact Appraisal Systems to schedule an inspection of the interior. If an appointment is not made, the inspector will make a second visit, at which point they will estimate the interior inspection following case law, which is the highest reasonable value. Mr. Del Guercio went on to explain the process of analyzing the information that is collected by the inspectors. Mr. Del Guercio stated that key personal ride the town and make specific notes. Mr. Del Guercio stated they break towns into homogeneous neighborhoods, based on the style of homes, similar utility, same age and size, same economical range and zoning. Mr. Del Guercio noted they will do a study of the last 3 years of sales in the Borough, looking at list price vs. sell price, active listing and the length on the market. Mr. Del Guercio stressed that every portion of the process will be posted on their website for review. Mr. Del Guercio stated that they look for residents input throughout the process to ensure accuracy at all times. Mr. Del Guercio stated a letter would go out to residents informing them of the valuation, which will include a phone number to discuss how the figure was arrived at. Mr. Del Guercio also stated that there will be time set aside for an in person meeting to go over all of the information collected. Mr. Delgursio stated the last stage is to submit the information to the County Board of Taxation. At which time all residents will receive a postcard of their final valuation. Mr. Del Guercio stated that a property owner always has the right to file an appeal for their valuation. Mr. Del Guercio informed the Council that the deadline to file a typical tax appeal is April 1, however when a revaluation is done the deadline is extended to May 1.

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Approved 6/21/10

Cliff Moore, Skillman Ave. – Inquired to what degree would the company go to, specifically would they gather all building permit information, to determine the actual age of the dwelling?

Mr. Trout responded, yes there would be a gathering of building permits, and the company would do all they could to accurately determine the age of the structures.

Council President Goldman inquired as to when the inspectors would be in the Borough. Mr. Trout responded in June.

Bob Ulrich, 104 Knoll Way – Inquired as to how a mixed use property would be defined, for example a home with a commercial business on the first floor. Mr. Trout responded it would more than likely be considered a commercial property, however the actual value would be based on an income standpoint.

Attorney Cruz asked what can the Borough post on their website to inform the residents of the process. Mr. Trout responded they will customize a link for Rocky Hill that will take the resident directly to the appropriate portion of the Appraisal Systems website.

Mayor Zimmerman confirmed that every structure in the Borough would be valued, given an age and a style. Mr. Trout responded yes, all of that information would be determined and posted on the website. Mayor Zimmerman inquired about working with Appraisal Systems to obtain all of that information for a separate project the Borough is working on. Mr. Trout responded Appraisal Systems could work with the Borough.

Council Member Banks inquired as to if lead based paints are a factor when placing a value, and if so are values compromised. Mr. Trout responded that only the cost to cure would be considered and that information would have to come from the homeowner.

Borough Tax Assessor, George Sopko, asked that the industrial park be the priority as they represent 10% of the tax base. Mr. Trout stated they would have one residential inspector and one commercial inspector so the areas would be inspected simultaneously.

Assessor Sopko stated that Chapter 91 Laws allow an assessor to obtain income/expense information for 4A, 4B, 4C properties. Assessor Sopko asked if this would be done as part of the revaluation process. Mr. Del Guercio responded that commercial properties would have to submit income and expense information, as they are critical components to determine value. Mr. Del Guercio stated that all letters to commercial properties will be sent certified mail and they have a specific person checking each and every letter to ensure all enclosures were in the envelope when sent. Mr. Del Guercio went on to explain that any commercial property that does not submit this information, surrenders their right to appeal their valuation.

Bob Ulrich, inquired if the economic downturn would cause the commercial properties to be unfairly assessed. Mr. Del Guercio stated that market vacancies do not affect value, as there can be many reasons as to why a building is vacant. Mr. Del Guercio stated they use market rent to analyze commercial properties.

Attorney Cruz asked if Appraisal Systems saw any issues with being able to complete the revaluation within the allotted time frame. Mr. Del Guercio responded no, they are confident all deadlines will be met.

Hearing no further public comment the floor was closed.

Resolution 2010 – 50 Emergency Appropriations for Damage Cleanup

Mayor Zimmerman presented the resolution, stating that the original contract to remove the brush and limbs was not enough to complete the whole Borough. Mayor Zimmerman noted there is a great deal of debris from the March 13, 2010 storm that still needs to be removed before there are public health issues. Mayor Zimmerman opined that based on the meeting that he had with FEMA, that they may contribute to these costs. Council President Goldman inquired as to whether or not these funds would be enough to complete the cleanup. Engineer Tanner responded yes, he believed so. Council President Goldman felt it would be inequitable if all debris were not removed. Council President Goldman asked if residents could

Approved 6/21/10

pay to remove the debris themselves and appeal to FEMA individually if the funds appropriated were insufficient. Engineer Tanner stated he was confident all debris would be removed. Council President Goldman suggested that the Borough appropriates \$15,000.00 rather than \$11,000.00, to ensure the project is completed, as the money is just being set aside and not spent at this time. Motion was made by Goldman to approve the resolution with an increase to \$15,000.00. Motion seconded by Banks. Motion carried on roll call vote – all ayes.

Resolution 2010 – 51 Borough Tree Removal Contract – Robert Wells Tree and Landscape Inc.

Engineer Tanner asked that there be additional language added to the resolution: Whereas on March 13, 2010 the Borough of Rocky Hill was subjected to a storm with intense rain and strong winds, Whereas as a result of the storm trees within the Borough were extensively damaged, Whereas the Borough finds it has a need to remove trees damaged during the storm along with others considered in danger of falling. Engineer Tanner stated that bids were received and Robert Wells Tree and Landscaping Inc. was the low bidder at \$4,900.00. Motion was made by Goldman to approve the resolution with the added language. Motion was seconded by Banks. Motion carried on roll call vote-all ayes.

Discussion of Extension of Brush and Limb Removal Contract

Engineer Tanner stated that Mastrionni Landscaping could remove the remaining debris for roughly \$5,000.00. Engineer Tanner informed the Council the original brush and limb removal contract was put out to bid and awarded to Mastrionni. This contract would be an extension of the original, a second round cleanup, which may be reimbursed by FEMA. Engineer Tanner asked if language could be added to the resolution to allow some flexibility if the cost goes beyond the rough estimate of \$5,000.00. Council President Goldman asked that the resolution include a not to exceed clause of \$7,500.00. Motion was made by Steen to approve the extension not to exceed \$7,500.00. Motion was seconded by Donahue. Motion carried on roll call vote-all ayes.

Resolution 2010 –52 Renewal of Plenary Retail Consumption Liquor License – Copper Bottom, LLC, T/A Rocky Hill Inn

Mayor Zimmerman presented the resolution to renew the plenary retail consumption liquor license. Motion was made by Goldman to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote – all ayes.

Introduction: Ordinance #2-2010 – Ordinance to Amend Ordinance #1-2007 “An ordinance to establish the fees to be charged for inspection and reproduction of government records”

Attorney Cruz informed Council that an appellate decision was made that states only the actual costs of copying could be charged by a municipality. The amendment to the Ordinance would allow the Borough to set the fees by resolution each year, as costs may vary. Motion was made by Goldman to introduce Ordinance #2-2010, and set a public hearing date of June 21, 2010. Motion was seconded by Steen. Motion carried on roll call vote – all ayes.

Discussion of Amendments and Introduction: Ordinance #3, 2010 – Ordinance to amend Chapter 185 “Vehicles and Traffic” addition of intersection sight distances.

Mayor Zimmerman stated this has been discussed at several Council meetings in response to residents' complaints. Mayor Zimmerman stated that after speaking to Pat Marratto at Somerset County, that they will completely remove shrubs that are a sight line issue in an easement. Council President Goldman asked if the County had an ordinance addressing this issue, as their ordinance would supersede the Borough's. After a brief discussion a decision was made to table the introduction until Mayor Zimmerman confirms whether a County Ordinance is in place to address this issue. Council Member Donahue suggested that the Borough speak to the homeowner and advise them the County may remove shrubs, and allow them the opportunity to possibly move them to an area that will not obstruct sight lines. Mayor Zimmerman opined it was a delicate issue as the property owner had spent money to install the shrubs. Council Member Donahue felt that letting them know would possibly save them money by allowing them to be moved rather than having the County just completely remove them.

Approved 6/21/10

UNFINISHED BUSINESS

Municipal Shred Day – Acting Borough Clerk, Rebecca Newman informed the Council that the hours for the Municipal Shred Day would be between 9 AM and 1 PM at Van Horne Park on June 12, 2010.

NEW BUSINESS

Placement of signs on the tennis courts - Mayor Zimmerman stated he has received several complaints regarding the non-resident use of the Borough's Tennis Courts. Mayor Zimmerman stated that the Borough has an ordinance in place to issue permits to residents, however, issuance has not begun at this point. Council President Goldman suggested that the left over dog licenses be used at permits. Mayor Zimmerman asked that Council Member Donahue research the cost of a sign to be posted on the tennis court.

Possible award of Professional Services Contract for audit of rescue squad financials - Mayor Zimmerman stated that there appears to be some internal dysfunction at the rescue squad. Mayor Zimmerman stated the trustees are aware the Borough will be holding back the aid until this audit is complete. Mayor Zimmerman informed the Council that Alan Queec has taken over as treasurer recently, so he is hopeful issues will be resolved. Mayor Zimmerman stated the cost of the audit will be paid directly by the Borough but subtracted from the aid the rescue squad receives. Mayor Zimmerman noted that Robert Morrison of Hodulick and Morrison, the Borough auditor, agreed to perform the audit. Mayor Zimmerman stated the audit would go back through the last three years to determine what was done with the aid in the past. Motion was made by Goldman to approve an audit of the rescue squad financial records not to exceed \$5,000.00. Motion was seconded by Banks. Motion carried on roll call vote- all ayes.

Appointment of New Member to the Rocky Hill Hook and Ladder Company – Mayor Zimmerman requested Council approve the member ship application for Emily Wright to become a member of the Rocky Hill Hook and Ladder Company. Motion was made by Goldman. Motion was seconded by Banks. Motion carried on a voice vote – all ayes.

Rocky Hill Camp Out –Tom Bremner, 17 Crescent, informed the Council he has spoken with Council Member Donahue and the Fire Chief and decided either September 25, or October 2, would work for the camp out. Mr. Bremner stated they would like to hold the camp out on the soccer field behind the Borough Hall between the hours of 5:00 PM and 11:00 AM. Mr. Bremner stated they would like to have 3-5 self-contained freestanding fire pits to cook hotdogs and smores on. Mr. Bremner asked if there could be limited access to the Borough Hall to use the restrooms. Mayor Zimmerman stated he has a major concern with security, as there are no Borough Police. Council President Goldman stated that the Borough Ordinance states the park is closed at sun down and would not vote to violate a Borough Ordinance.

Cliff Moore, Skillman Ave. stated Green Acres close their parks strictly for security reasons, and that the deed states that the areas are to be used for general recreation.

Council Member Donahue asked is Council's approval was needed if the camp out was on Green Acres property. Mayor Zimmerman asked how many adult supervisors would be there. Mr. Bremner stated there would need to be one adult per tent. Attorney Cruz informed the Council that they might waive their ordinances in certain circumstances. Attorney Cruz stated the Borough would need to obtain a certificate of insurance to be covered in certain situations. Mayor Zimmerman stated he had no issues with the fires, if the Fire Chief felt they could contain it. Mayor Zimmerman also informed Mr. Bremner that typically portable toilets are rented for events like this. Attorney Cruz stated it was the responsibility of the Borough to keep public areas secure. Mayor Zimmerman suggested that possibly some sponsorship could be obtained and the funds could be used to hire a police officer. Council Member Donahue stated that perhaps a list of the concerns could be made and addressed regarding insurance, security and restrooms and presented to the Council at a later meeting. Mayor Zimmerman suggested perhaps Van Horne Park could be used, as the Montgomery Police can patrol there.

COMMUNICATIONS

Approved 6/21/10

Mayor Zimmerman added the following to communications:

1. Registered letter from the Lovy's dated May 19, 2010 Re: Van Horne Park Flooding
2. Letter from the State of NJ dated June 2, 2010, Re: Hazardous Discharge
3. Letter from County of Somerset dated June 3, 2010 Re: Solid Waste Plan

FINAL PUBLIC COMMENT

Tom Bremner, 17 Crescent – Stated he was a trustee in the Community Group and was informed that typically the Borough cut a check to the Community Group to be spent however necessary, rather than the Borough paying for things directly. Mayor Zimmerman informed Mr. Bremner that that is incorrect, as the Borough has paid directly for things for several years. Mr. Bremner asked how they could be reimbursed for miscellaneous items such as balloons and crafts. Council Member Donahue stated he would be amenable to purchasing the items and submitting a voucher to be reimbursed.

Hearing no further public comment the floor was closed.

ADJORNMENT

Motion was made by Goldman with a second by Steen to adjourn the meeting at 11:13 PM. All voted in favor of adjournment.

Respectfully Submitted:

Rebecca P. Newman
Acting Borough Clerk

RESOLUTION 2010-50

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, an emergency has arisen with respect to *Storm Cleanup from March 13, 2010* and, no adequate provision was made in the 2010 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$ 15,000 and three (3) percent of the total operating appropriations in the budget for 2010 is \$ 27,240 and

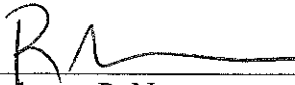
WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2010,

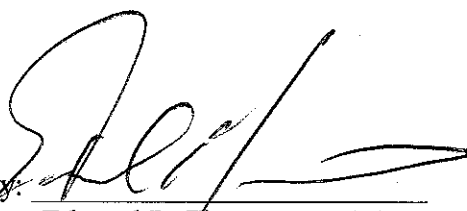
NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for *Storm Cleanup from March 13, 2010* in the amount of \$ 15,000. That said emergency appropriation shall be provided for in full in the 2011 budget,

2. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

ATTEST:

By: 
Rebecca P. Newman
Acting Borough Clerk

By: 
Edward P. Zimmerman, Mayor


I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: R 01-20136-306-602



Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on June 7, 2010.



Rebecca P. Newman, Acting Borough Clerk

RESOLUTION 2010-51

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, on March 13, 2010, the Borough of Rocky Hill was subjected to a storm with intense rain and strong winds,

WHEREAS, as a result of the storm trees within the Borough of Rocky Hill were extensively damaged

WHEREAS, the Borough of Rocky Hill finds it has a need to remove trees damaged during the storm, along with others considered in danger of falling

WHEREAS, the Borough of Rocky Hill desires to enter into a contract for tree removal service; and

WHEREAS, the Borough has solicited quotes for this work because the work is below the bid threshold; and

WHEREAS, the following quotes have been received:

- JML Landscaping Inc., Neshanic Station, NJ - \$9,150.00;
- McCabe's Tree Experts, Hillsborough, NJ - \$5,483.75;
- Robert Wells Tree and Landscape Inc., Princeton, NJ - \$4,900.00; and

WHEREAS, the quote that is most advantageous to the Borough is that of Robert Wells Tree and Landscape, Inc. at a price of \$4,900.00; and

WHEREAS, there are sufficient funds in the Borough's budget to pay for these services.

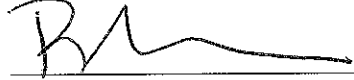
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

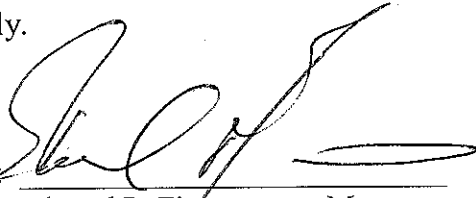
1. That the Borough of Rocky Hill awards a contract to Robert Wells Tree and Landscape Inc. to perform the following services: tree removal. The term of the contract shall be for one calendar year from the date of award at \$4,900.00.

2. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.

3. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman
Acting Borough Clerk

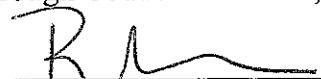
By: 
Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: 01-201-26-306-602


Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on June 7, 2010.


Rebecca P. Newman
Acting Borough Clerk

RESOLUTION 2010- 52

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, application has been received from Copper Bottom LLC, T/A Rocky Hill Inn for renewal of the Plenary Retail Consumption Liquor License (1817-33-002-006); and

WHEREAS, said application is complete and accompanied by the required fees, affidavits, and tax clearance certificate from the New Jersey Division of Taxation; and

WHEREAS, no written objection to the renewal of this license was received by the Borough Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the license as referenced above be renewed for the 2010-2011 license year and that the Borough Clerk be directed to forward a certified copy of this Resolution and the renewal application and accompanying fee to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and;

2. That the Borough Clerk be authorized to issue the 2010-2011 license to the proper holder with the effective date of July 1, 2010.

3. This Resolution shall take effect immediately.

ATTEST:

By: 

Rebecca P. Newman
Acting Borough Clerk

By: 

Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on June 7, 2010.



Rebecca P. Newman
Acting Borough Clerk